

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 8767

WARMERDAM et al.

Atty. Ref.: 4662-371

Appln. No. 10/516,663

T.C. / Art Unit: 1794

Filed: November 30, 2004

Examiner: L.A. Wong

FOR: METHOD FOR THE TREATMENT OF SHREDDED CHEESE WITH A
POLYENE ANTIFUNGAL COMPOUND

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INFORMATION DISCLOSURE STATEMENT

October 28, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is Form PTO-1449 listing the enclosed document, which was first cited in a communication mailed October 16, 2009 from the Canadian Intellectual Property Office in CA 2,488,261. Therefore, the undersigned certifies under 37 CFR § 1.97(e):

"That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement."

Applicants respectfully request consideration of this Information Disclosure Statement (IDS) and its attachments under 37 CFR § 1.97(d). Certification and the Rule 17(p) fee are required because a final Office Action was mailed. But should that fee be missing or inadequate, please charge any deficiency to our Deposit Account No. 14-1140 under Order No. 4662-371.

This IDS is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to be omitted, prompt notice and additional time under 37 CFR § 1.97(f) are earnestly solicited to enable Applicants to comply fully.

As provided by 37 CFR §§ 1.97(g) and (h), no inference should be made that this information and the listed document are prior art merely because they have been submitted for consideration. Further, no representation is being made that a search has been conducted or that this statement encompasses all possible material information.

Consideration of the foregoing and enclosure, as well as return of a copy of the Form PTO-1449 with the Examiner's initials per M.P.E.P. § 609, are earnestly solicited. The Examiner is invited to contact the undersigned if any further information is needed.

Respectfully submitted,

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